

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

ERIC DYNELL MCGADNEY,

Petitioner,

vs.

UNITED STATES OF AMERICA,

Respondent.

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CRIMINAL NO. 12-00245-WS-B
CIVIL ACTION NO. 15-0282-WS-B

ORDER

After due and proper consideration of all portions of this file deemed relevant to the issue raised, and there having been no objections filed, the Report and Recommendation of the Magistrate Judge made under 28 U.S.C. § 636(b)(1)(B) is **ADOPTED** as the opinion of this Court. It is **ORDERED** that McGadney's Motion To Vacate, Set Aside, Or Correct Sentence under § 2255 (Doc. 45) be **DENIED**, and that McGadney is not entitled to the issuance of a certificate of appealability or to proceed *in forma pauperis* on appeal.

DONE this 30th day of April, 2018.

s/WILLIAM H. STEELE
UNITED STATES DISTRICT JUDGE